

October 15, 2010

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
October 15, 2010

I. OPENING OF MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET,
SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD SEPTEMBER 17, 2010

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR
MEETING HELD SEPTEMBER 17, 2010?**

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging	140.....	10
Agriculture	424.....	16
Arts Council.....	19.....	2
Capitol Development Board	45.....	0
Central Management Services	1,404.....	115
Children and Family Services	2,989.....	48
Civil Service Commission	3.....	0
Commerce & Economic Opportunity	419.....	67
Commerce Commission.....	71.....	0
Corrections.....	11,278.....	103
Criminal Justice Authority.....	60.....	5
Deaf and Hard of Hearing Comm.	7.....	1
Developmental Disabilities Council	10.....	1
Emergency Management Agency	91.....	7
Employment Security.....	1,933.....	29
Environmental Protection Agency	908.....	17
Financial & Professional Regulation	488.....	41
Gaming Board.....	77.....	5
Guardianship and Advocacy	107.....	7
Healthcare and Family Services.....	2,270.....	25
Historic Preservation Agency	202.....	9
Human Rights Commission	14.....	2
Human Rights Department	138.....	8
Human Services	13,265.....	78
Insurance.....	240.....	11
Investment Board.....	3.....	1
Juvenile Justice	1,209.....	19
Labor.....	80.....	7
Labor Relations Board Educational	12.....	2
Labor Relations Board State	18.....	2
Law Enforcement Training & Standards Bd.....	18.....	2
Medical District Commission	2.....	0
Military Affairs	124.....	3
Natural Resources	1,302.....	26
Pollution Control Board.....	20.....	1
Prisoner Review Board	20.....	0
Property Tax Appeal Board	19.....	1
Public Health.....	1,076.....	43
Racing Board	2.....	0
Revenue	1,988.....	58
State Fire Marshal.....	137.....	12
State Police	1,316.....	5
State Police Merit Board.....	6.....	1
State Retirement Systems	83.....	2
Transportation.....	2,252.....	0
Veterans' Affairs.....	1,192.....	7
Workers' Compensation Commission	172.....	8
TOTALS	47,653.....	807

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C. Illinois Department of Public Health – Proposed Exemption (continued from September 17, 2010)

Position Number	40070-20-01-100-20-81
Position Title	Senior Public Service Administrator
Bureau/Division	Community Public Health Outreach
Functional Title	Managing Director of Community Public Health Outreach
Incumbent	Vacant
Supervisor	Assistant Director who reports to the Director
Location	Cook County

CMS Recommendation: “This position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Department of Central Management Services – Proposed Exemption

Position Number	40070-37-14-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Bureau of Communication and Computer Services (BCCS)
Functional Title	Chief of Network Infrastructure
Incumbent	Vacant
Supervisor	Deputy Director of the Bureau of Communication and Computer Services, who reports to the Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E. Illinois Department of Central Management Services – Proposed Exemption

Position Number	40070-37-01-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Agency Support & Vehicles
Functional Title	Division Manager, Agency Support & Vehicles
Incumbent	Vacant
Supervisor	Assistant Director, who reports to the Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

F. Illinois Department of Agriculture – Proposed Exemption

Position Number	40070-11-01-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Project Manager for Economic Development
Incumbent	Vacant
Supervisor	Director
Location	Perry County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

G. Illinois Department of Juvenile Justice – Proposed Exemption

Position Number	40070-27-00-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Program Services
Functional Title	Deputy Director, Division of Program Services
Incumbent	Vacant
Supervisor	Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- C: Managing Director of Community Public Health Outreach (DPH)**
- D: Deputy Director, Bureau of Communication and Computer Services (CMS)**
- E: Division Manager, Agency Support & Vehicles (CMS)**
- F: Project Manager for Economic Development (Agriculture)**
- G: Deputy Director, Division of Program Services (DJJ)**

V. CONSIDERATION OF THE STATUS OF PRIVATE SECRETARIES AND CONFIDENTIAL ASSISTANTS EXEMPT FROM JURISDICTION B PURSUANT TO SECTION 4D(1) OF THE PERSONNEL CODE

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VI. CLASS SPECIFICATIONS

None submitted.

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VII. MOTION TO GO INTO EXECUTIVE SESSION

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VIII. RECONVENE MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	8/31/10	9/30/10	9/30/09
Aging	0	0	1
Agriculture	0	0	5
Children and Family Services	3	0	7
Employment Security	2	0	8
Healthcare and Family Services	1	0	6
Historic Preservation Agency	0	1	1
Human Services	0	0	4
Natural Resources	5	8	32
State Fire Marshal	0	0	1
Transportation	0	0	6
Totals	11	9	71

X. INTERLOCUTORY APPEALS

DA-6-11

Employee	Charisse G. Tucker	Appeal Date	07/22/10
Agency	HFS	Decision Date	09/24/10
Type	Discharge	ALJ	Daniel Stralka
Issue(s)	Failure to report return to work date and incorrectly reporting earnings; failure to repay overpayment or to make arrangements to repay overpayment	Proposal for Decision	Dismissed subject to Commission approval; default (no response at two scheduled telephone status conferences).

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

D-16-11

Employee	Juanita Welton	Appeal Date	08/13/10
Agency	DCFS	Decision Date	09/22/10
Type	Demotion	ALJ	Daniel Stralka
Issue(s)	From Office Coordinator to Office Associate	Proposal for Decision	Dismissed subject to Commission approval; default (no show at hearing).

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-18-11

Employee	Johanna B. Adams	Appeal Date	09/10/10
Agency	DVA	Decision Date	10/05/10
Type	Discharge	ALJ	Daniel Stralka
Issue(s)	Conduct unbecoming	Proposal for Decision	Dismissed subject to Commission approval; default (no show at hearing).

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XI. **PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL**

DA-24-10

Employee	Mary L. Bouillon	Appeal Date	12/09/09
Agency	DHS	Decision Date	10/01/10
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Unauthorized absences; refusal of mandatory overtime	Proposal for Decision	Charges are proven and warrant discharge.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-43-10

Employee	Sandra Landrum	Appeal Date	03/12/10
Agency	DHS	Decision Date	10/01/10
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Neglect of duty; violation of employee conduct code	Proposal for Decision	Charges are proven and warrant discharge.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-54-10

Employee	Jerome Robertson	Appeal Date	06/23/10
Agency	DOC	Decision Date	09/24/10
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Socialized with released offender; used state equipment for personal use; released confidential information regarding a released offender; impeded an investigation	Proposal for Decision	Charges are partially proven and warrant 90-day suspension.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-15-11

Employee	Glenda D. Little	Appeal Date	07/30/10
Agency	DOC	Decision Date	09/29/10
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Brought contraband into a penal institution; inappropriate conduct; failed to report unusual incidents; gave false or misleading information during investigation; used computer for personal use; forwarded confidential information without authorization	Proposal for Decision	Charges are partially proven and warrant discharge.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

RV-21-10

Employee	Charles E. Koonce	Appeal Date	11/25/09
Agency	CMS	Decision Date	09/21/10
Type	Rule Violation	ALJ	Andrew Barris
Issue(s)	Violation of Section 303.20 of the Personnel Rules	Proposal for Decision	Violation of Section 303.20(f); CMS directed to reinstate Koonce's Step 4 grievance for review and final determination.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

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XII. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

DA-9-11

Employee	Vance E. Hatfield	Appeal Date	07/22/10
Agency	DOC	Decision Date	09/24/10
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Brought contraband into a penal institution; used personal cell phone to make calls, send text messages, or access the internet while on duty	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn (settled).

DA-10-11

Employee	Jennifer Rentschler	Appeal Date	07/22/10
Agency	DOC	Decision Date	09/24/10
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Brought contraband into a penal institution; used personal cell phone to make calls, send text messages, or access the internet while on duty	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn (settled).

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSALS FOR DECISION IN THE ABOVE MATTERS?

XIII. STAFF REPORT

XIV. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Friday, November 19, 2010 at 1:00 p.m. in the Commission's Springfield office.

XV. MOTION TO ADJOURN